IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT AT ROANOKE, VA FILED

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JARED ALRLEDGE,)	CASE NO. 7:12CV00486	JULIA C, DUDLEY, CLERK BY: Milliam
Plaintiff,	Ś		DEPUTY CLERK
)	FINAL ORDER	
vs.)		
HENRY VAN OVER, <u>ET AL.</u> ,)	By: James C. Turk Senior United States District Judge	
Defendant(s).)		· ·

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that plaintiff's civil rights complaint under 42 U.S.C. § 1983, alleging he has been wrongfully sentenced based on defendants' conflicts of interest, is hereby **CONSTRUED** as a petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, and is summarily **DISMISSED** without prejudice for failure to exhaust state court remedies; and this action is stricken from the active docket of the court. Finding that petitioner has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(1), a certificate of appealability is **DENIED**.

ENTER: This 24 day of November, 2012.

Senior United States District Judge